

The Honorable J. Kelley Arnold

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA**

JAMES P. PETRULLI,

Plaintiff,

v.

WASHINGTON DEPARTMENT OF
VETERANS AFFAIRS; JOHN KING,
Director of Washington Department of
Veterans Affairs in his individual
capacity; and JOHN LEE in his
individual capacity,

Defendants.

NO. C03-5441JKA

STIPULATION AND ORDER OF
DISMISSAL WITH PREJUDICE
AS ALL CLAIMS AS TO
DEFENDANTS DEPARTMENT
OF VETERANS AFFAIRS, JOHN
KING, DIRECTOR IN HIS
INDIVIDUAL CAPACITY, AND
JOHN LEE, IN HIS INDIVIDUAL
CAPACITY

IT IS HEREBY STIPULATED AND AGREED by and between plaintiff, James P. Petrulli, acting by and through Richard Wooster, and the defendant State of Washington, the WASHINGTON STATE DEPARTMENT OF VETERANS AFFAIRS, an agency of the State of Washington, and JOHN KING, Director of the Washington State Department of Veterans Affairs in his individual capacity, and JOHN LEE in his individual capacity, acting by and through Rob McKenna, Attorney General, and Lisa L. Sutton, Assistant Attorney General, that the above-entitled action may be dismissed with prejudice and without costs, this matter having been fully settled and compromised between the parties and the caption shall be revised to

STIPULATION AND ORDER OF
DISMISSAL WITH PREJUDICE AS ALL
CLAIMS AS TO DEFENDANTS
DEPARTMENT OF VETERANS
AFFAIRS, JOHN KING, DIRECTOR IN
HIS INDIVIDUAL CAPACITY, AND
JOHN LEE, IN HIS INDIVIDUAL
CAPACITY -- NO. C03-5441JKA

1 conform with this order and the caption shall list the State of Washington only as the defendant
2 for entry of the stipulated judgment.

3
4 DATED this 23 day of May 2005.

5 ROB MCKENNA
6 Attorney General

7 /s/ Lisa L. Sutton
8 LISA L. SUTTON, WSBA #16005
9 Assistant Attorney General
Attorneys for State Defendants

10 /s/ Richard H. Wooster
11 RICHARD WOOSTER, WSBA #13752
12 Attorney for Plaintiff

ORDER

THIS MATTER having come before the undersigned judge of the above-entitled court, based on the foregoing stipulation, now, therefore,

IT IS HEREBY ORDERED That defendants John King, in his individual capacity and John Lee in his individual capacity shall be dismissed from the above-entitled action with prejudice and without costs or interest to any party and the caption shall be revised to conform with this order and entry of the judgment shall be made only as the Defendant State of Washington.

DATED this 25th day of May 2005.

/s/ J. Kelley Arnold
U.S. MAGISTRATE JUDGE

Presented by:

ROB MCKENNA
Attorney General

/s/ Lisa L. Sutton
LISA L. SUTTON, WSBA #16005
Assistant Attorney General
Attorneys for State Defendants

Stipulated and Agreed, Approved as to Form,
and Notice of Presentation Waived:

/s/ Richard H. Wooster
RICHARD WOOSTER, WSBA # 13752
Attorney for Plaintiff

STIPULATION AND ORDER OF
DISMISSAL WITH PREJUDICE AS ALL
CLAIMS AS TO DEFENDANTS
DEPARTMENT OF VETERANS
AFFAIRS, JOHN KING, DIRECTOR IN
HIS INDIVIDUAL CAPACITY, AND
JOHN LEE, IN HIS INDIVIDUAL
CAPACITY -- NO. C03-5441JKA

CERTIFICATE OF SERVICE

I hereby certify that on May 25, 2005, I caused to be electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

Richard Wooster Email: RICH@MJWMLAW.com

/s/Lisa L. Sutton
LISA L. SUTTON, WSBA #16005
Assistant Attorney General
Torts Division
629 Woodland Square Loop SE
P.O. Box 40126
Olympia, WA 98504-0126
(360) 459-6600
(360) 459-6967 (fax)